

WEDNESDAY, FEBRUARY 1, 1989

THIRD LEGISLATIVE DAY

The House met at 1:00 p.m., and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Brother Billy Hill, Radnor Baptist Church, Nashville, Tennessee.

Representative Victor Ellis led the House in the Pledge of Allegiance to the Flag.

Mr. Speaker Murray relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

ENROLLED BILLS
January 31, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 11 and 13; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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SIGNED
January 31, 1989

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 11 and 13.

CONSENT CALENDAR

House Resolution No. 0002 -- Memorials, Condolence -- Expresses sorrow at the death of Joel Ferrell, Jr. of Tullahoma.

House Resolution No. 0003 -- Memorials, Professional Achievement -- Honors Charlotte Wiseman Parish for her service on University of Tennessee Board of Trustees, 1979-1988.

House Joint Resolution No. 0001 -- Memorials, Condolence -- Expresses sorrow on death of Dr. R. D. Shepherd of Dunlap.

House Joint Resolution No. 0002 -- Memorials, Recognition and Thanks -- Recognizes tenth anniversary of Vanderbilt University -- Veterans Administration Internship in professional psychology.

House Joint Resolution No. 0003 -- Memorials, Sports -- Congratulates Lindsey Nelson on outstanding career in sports journalism.

House Joint Resolution No. 0008 -- Memorials, Professional Achievement -- Honors Don Baker on being chosen Tennessee Airport Manager of the Year.

House Joint Resolution No. 0009 -- Memorials, Sports -- Honors Brad Higdon of Knoxville Central High School, 1988 state cross country champion.

House Joint Resolution No. 0012 -- Memorials, Sports -- Congratulates G. L. Martin Junior High School cheerleading squad.

House Joint Resolution No. 0015 -- Memorials, Professional Achievement -- Honors Edna Loveday on selection as Tennessee Teacher of the Year.

House Joint Resolution No. 0019 -- Memorials, Sports -- Congratulates Donelson Christian Academy football team on being 1988 Class A champions.

House Joint Resolution No. 0020 -- Memorials, Sports -- Honors Coach John Meadows and the Lincoln County High School football team.

House Bill No. 0008 -- Sequatchie County -- Levies hotel/motel tax.

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House Bill No. 0016 -- Gatlinburg -- Establishes privilege tax on the purchase of food from restaurants.

House Bill No. 0017 -- Gatlinburg -- Permits increase of gross receipts tax. Amends Chapter 84 of the Private Acts of 1945, as amended.

OBJECTION -- CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

House Joint Resolution No. 1 was objected to by Rep. Rhinehart, with the request that the resolution be held on the Clerk's desk.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	90
Noes.	0
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipe, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

Representatives present and not voting were: Nicely, Shirley -- 2.

A motion to reconsider was tabled.

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UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Ellis, House Bill No. 11 was recalled from the Finance, Ways and Means Committee.

On motion of Rep. Ellis, House Bill No. 11 was withdrawn from the House.

On motion of Rep. Stallings, House Bill No. 69, ready for second consideration, was withdrawn from the House.

On motion of Rep. West, House Bill No. 88, ready for second consideration, was withdrawn from the House.

On motion of Rep. Ellis, House Bill No. 94, ready for second consideration, was withdrawn from the House.

SPONSORS ADDED

Without objection, the rules were suspend to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 18: Rep(s). West added as a sponsor(s).

House Bill No. 74: Rep(s). Winningham added as prime sponsor(s).

House Bill No. 77: Rep(s). Love added as prime sponsor(s).

House Bill No. 101: Rep(s). McAfee added as prime sponsor(s).

House Bill No. 102: Rep(s). McAfee added as prime sponsor(s).

ANNOUNCEMENTS

PROPOSED AMENDMENTS FILED

Pursuant to TCA 16-3-402, the Executive Secretary of the Tennessee Supreme Court has filed the Proposed Amendments to the Tennessee Rules of Civil Procedure with the Clerk's Office.

Pursuant to TCA 16-3-402, the Executive Secretary of the Tennessee Supreme Court has filed the Proposed Amendments to the Tennessee Rules on Evidence with the Clerk's Office.

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REPORTS FILED

Pursuant to TCA 49-1-302, the Higher Education Commission and the Board of Education report, "Tennessee on the Move: Progress in Education and Benchmarks for the Future", has been filed with Clerk's Office.

RULES SUSPENDED

Rep. Rhinehart moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 56 out of order, which motion prevailed.

Senate Joint Resolution No. 0056 -- Memorials, Sports -- Honors Coach Ken Colquette and the 1988 Marion High School football team.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Rhinehart, the resolution was concurred in.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0005 -- Memorials, Government Officials -- Urges mayor of Nashville/Davidson County to launch waste recycling effort. by *Love.

The Speaker referred House Resolution No. 5 to the State and Local Government Committee.

House Joint Resolution No. 0022 -- Memorials, Government Officials -- Urges mayor of Nashville/Davidson County to work with other Tennessee counties to develop comprehensive waste handling plan. by *Love.

The Speaker referred House Joint Resolution No. 22 to the State and Local Government Committee.

House Joint Resolution No. 0023 -- Memorials, Government Officials -- Encourages department of general services to initiate programs requiring the conservation and recycling of certain waste materials. by *Love, *West, *Ellis, *Odom, *Garrett, *Clark, *Purcell, *Halteman, *Robinson Robb, *Pruitt.

The Speaker referred House Joint Resolution No. 23 to the Conservation and Environment Committee.

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House Joint Resolution No. 0024 -- Memorials, Government Officials -- Urges state institutions of higher learning to promote a program of conserving certain waste materials for recycling. by *Love, *West, *Ellis, *Odom, *Garrett, *Purcell, *Clark, *Halteman, *Robinson Robb, *Pruitt.

The Speaker referred House Joint Resolution No. 24 to the Education Committee.

House Joint Resolution No. 0025 -- General Assembly, Studies -- Creates special joint study committee to study issues relative to powers and effective functioning of units of local government. by *Copeland.

The Speaker referred House Joint Resolution No. 25 to the State and Local Government Committee.

House Joint Resolution No. 0026 -- Memorials, Public Service -- Honors various law enforcement officers for confiscating marijuana and making arrests in Haywood County on January 11, 1989. by *Moore U A.

The Speaker referred House Joint Resolution No. 26 to the Calendar and Rules Committee.

House Joint Resolution No. 0027 -- General Assembly, Statement of Intent Or Position -- Expresses position that higher education desegregation monitoring committee should include black Tennesseans not employees or students of affected institutions. by *King, *Jones R.

The Speaker referred House Joint Resolution No. 27 to the Education Committee.

***House Joint Resolution No. 0028 --** General Assembly, Statement of Intent Or Position -- States policy position regarding certain vocational education proposals; directs certain agencies to review and analyze such proposals. by *King, *Jones R.

The Speaker referred House Joint Resolution No. 28 to the Education Committee.

House Joint Resolution No. 0029 -- Memorials, Recognition and Thanks -- Expresses support for work of Blues City Cultural Center. by *Dixon, *Jones R.

The Speaker referred House Joint Resolution No. 29 to the Calendar and Rules Committee.

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*House Joint Resolution No. 0030 -- Memorials, Government Officials -- Requests analysis of certain proposals to improve health care services for poor and underserved. by *Dixon, *Jones R.

The Speaker referred House Joint Resolution No. 30 to the General Welfare Committee.

House Joint Resolution No. 0031 -- General Assembly, Statement of Intent Or Position -- Expresses general support and endorsement for area health education centers program. by *Dixon, *Jones R.

The Speaker referred House Joint Resolution No. 31 to the General Welfare Committee.

*House Joint Resolution No. 0032 -- Highway Signs -- Redesignates State Route 269 from Bell Buckle city limits to Rutherford County line as "Liberty Pike". by *Phillips.

The Speaker referred House Joint Resolution No. 32 to the Transportation Committee.

House Joint Resolution No. 0033 -- Memorials, Condolence -- Honors the memory of David Slabosky. by *Halteman.

The Speaker referred House Joint Resolution No. 33 to the Calendar and Rules Committee.

House Joint Resolution No. 0034 -- Memorials, Condolence -- Memorializes Margaret Wilson Bryant of Nashville. by *Love, *Jones R.

The Speaker referred House Joint Resolution No. 34 to the Calendar and Rules Committee.

House Joint Resolution No. 0035 -- Memorials, Government Officials -- Encourages development of a pilot program in Davidson County which makes available unsold state foods to organizations charged with feeding the needy. by *Love.

The Speaker referred House Joint Resolution No. 35 to the General Welfare Committee.

House Joint Resolution No. 0036 -- General Assembly, Statement of Intent Or Position -- Expresses endorsement and support for certain measures to address pending shortage of minority teachers. by *Jones R, *Turner L, *Jones U, *Armstrong.

The Speaker referred House Joint Resolution No. 36 to the Education Committee.

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House Joint Resolution No. 0037 -- Memorials, Condolence -- Honors memory of distinguished former United States Representative John J. Duncan. by *Bittle.

The Speaker referred House Joint Resolution No. 37 to the Calendar and Rules Committee.

SENATE JOINT RESOLUTIONS
Congratulatory and Memorializing

Senate Joint Resolution No. 0027 -- Memorials, Public Service -- Honors Hyatt Hotels and Resorts on efforts in voter education through sponsorship of Vote America Foundation.

The Speaker referred Senate Joint Resolution No. 27 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0057 -- Memorials, Recognition and Thanks -- Honors Noah Hill on his contribution in the construction of Stilwell Road in China during World War II.

The Speaker referred Senate Joint Resolution No. 57 to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

***House Bill No. 0101** -- Bingo -- Abolishes bingo. Amends TCA 39-6-609; Title 62, Ch. 33. by *Murray, *Naifeh, *Robinson Robb, *Napier, *McAfee.

Passed first consideration.

***House Bill No. 0102** -- Racing -- Abolishes horse racing. Amends TCA 4-29-214; Title 4, Ch. 36. by *Murray, *Robinson Robb, *Napier, McAfee.

Passed first consideration.

***House Bill No. 0103** -- Pensions and Retirement Benefits -- Authorizes creditable services under certain superseded retirement systems. Amends TCA 8-34-708. by *Rhinehart.

Passed first consideration.

***House Bill No. 0104** -- Taxes, Gasoline, Petroleum Products -- Increases motor fuel taxes. Amends TCA, Title 67, Ch. 3. by *Rhinehart, *Burnett.

Passed first consideration.

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***House Bill No. 0105 -- Taxes, Gasoline, Petroleum Products --** Increases gasoline tax; specifies use for county and municipal purposes. Amends TCA, Title 67. by *Miller.

Passed first consideration.

***House Bill No. 0106 -- Taxes, Sales --** Authorizes local government to increase sales tax on certain large ticket items; establishes range for amount of tax due. Amends TCA 67-6-702. by *Miller.

Passed first consideration.

***House Bill No. 0107 -- Drivers' Licenses --** Requires certain proof of payment of fine before operator's or chauffeur's license is restored. Amends TCA, Title 55, Ch. 7, Pt. 5. by *Miller.

Passed first consideration.

***House Bill No. 0108 -- Telecommunications --** Increases time period within which supplier of emergency communications services must remit service charge to service districts. Amends TCA, Title 7, Ch. 86. by *Miller.

Passed first consideration.

***House Bill No. 0109 -- Environmental Preservation --** Prohibits use or sale of certain nondegradable or environmentally harmful products. Amends TCA, Title 68, Ch. 16, Pt. 1. by *Miller.

Passed first consideration.

***House Bill No. 0110 -- Environmental Preservation --** Requires certain products sold in this state to be degradable within a certain period of time. Amends TCA, Title 68, Ch. 16, Pt. 1. by *Miller.

Passed first consideration.

***House Bill No. 0111 -- Bond Issues --** Authorizes bond issue for a state zoo. by *Miller.

Passed first consideration.

***House Bill No. 0112 -- Annexation --** Places certain restrictions on municipalities annexing certain property. Amends TCA, Title 6, Ch. 51. by *Miller.

Passed first consideration.

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***House Bill No. 0113 -- Zoning --** Changes certain requirements for rezoning certain property. Amends TCA, Title 13, Chs. 3, 4, 7. by *Miller.

Passed first consideration.

***House Bill No. 0114 -- Highways, Roads and Bridges --** Levies additional fee on certain commercial motor vehicles for privilege of traveling on certain streets, roads and highways. Amends TCA, Title 55, Ch. 4, Pt. 1. by *Miller.

Passed first consideration.

***House Bill No. 0115 -- Contractors --** Expands the home improvement commission; provides for nomination by legislative bodies of counties to which the chapter applies for new positions created. Amends TCA, Title 62, Ch. 37. by *Miller.

Passed first consideration.

***House Bill No. 0116 -- Taxes, Amusement --** Exempts admissions to municipally owned and/or operated facilities from amusement tax. Amends TCA 67-6-330. by *Miller.

Passed first consideration.

***House Bill No. 0117 -- Sports --** Authorizes leave of absence for public employees participating in certain international athletic competitions. by *Miller.

Passed first consideration.

***House Bill No. 0118 -- Campaigns --** Revises financial disclosure requirements; grants enforcement powers to secretary of state. Amends TCA, Title 2, Ch. 10; Title 3, Ch. 6; Title 8, Ch. 50, Pt. 5. by *Miller.

Passed first consideration.

***House Bill No. 0119 -- Tort Liability --** Exempts donors of food from certain liability. by *Copeland.

Passed first consideration.

***House Bill No. 0120 -- Taxes --** Enacts "Tax Reform Law of 1989". Amends TCA, Titles 57, 67. by *Copeland.

Passed first consideration.

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***House Bill No. 0121 -- Correctional Programs --** Provides that office of legal services give legal opinions at request of chairman of select oversight committee on corrections. Amends TCA, Titles 3, 4, 9, 39--41. by *Copeland.

Passed first consideration.

***House Bill No. 0122 -- Highways, Roads and Bridges --** Enacts "Transportation Act of 1989". Amends TCA, Titles 54, 55, 67. by *Copeland.

Passed first consideration.

***House Bill No. 0123 -- State Government --** Enacts "Government Reform Act of 1989". Amends TCA, Titles 3--15. by *Copeland.

Passed first consideration.

***House Bill No. 0124 -- Education --** Enacts "Education Reform Act of 1989". Amends TCA, Title 49. by *Copeland.

Passed first consideration.

***House Bill No. 0125 -- Alcoholic Beverages --** Increases certain penalties for contraband alcohol. Amends TCA, Title 57. by *Copeland.

Passed first consideration.

***House Bill No. 0126 -- Health --** Deletes provision that authorizes use of funds from hazardous waste remedial action fund to be used to make reports to the general assembly. Amends TCA, Title 68. by *Copeland.

Passed first consideration.

***House Bill No. 0127 -- Medicare and Medicaid --** Requires fiscal review committee to report on certain federal laws relative to medicaid program. Amends TCA, Title 71. by *Copeland.

Passed first consideration.

***House Bill No. 0128 -- Employees, Employers --** Corrects engrossing error in Right to Know Law. Amends TCA, Title 50. by *Copeland.

Passed first consideration.

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***House Bill No. 0129 -- Taxes, Tobacco, Tobacco Products -- Repeals Unfair Cigarette Sales Law. Amends TCA, Titles 47, 48. by *Copeland.**

Passed first consideration.

***House Bill No. 0130 -- Insurance, Liability -- Increases insurance coverage required for amusement attractions and rides. Amends TCA, Title 56. by *Copeland.**

Passed first consideration.

***House Bill No. 0131 -- Banks and Financial Institutions -- Requires oral authorizations to release financial information to be confirmed in writing. Amends TCA, Title 45. by *Copeland.**

Passed first consideration.

***House Bill No. 0132 -- Taxes, Gasoline, Petroleum Products -- Increases gasoline tax. Amends TCA, Title 67, Ch. 3. by *Copeland.**

Passed first consideration.

***House Bill No. 0133 -- Bond Issues -- Authorizes bond issue for state facilities and institutions. by *Copeland.**

Passed first consideration.

***House Bill No. 0134 -- Taxes, Sales -- Exempts items sold by children for public school fund raising activities. Amends TCA, Title 67, Ch. 6. by *Copeland.**

Passed first consideration.

***House Bill No. 0135 -- Statutes -- Enacts "Tennessee State Government Reorganization Law of 1989". Amends TCA Titles 1-70. by *Copeland.**

Passed first consideration.

***House Bill No. 0136 -- Appropriations -- Appropriates funds for state government and entities thereof. Amends Chapter 1037, Public Acts of 1988. by *Copeland.**

Passed first consideration.

***House Bill No. 0137 -- Real Property -- Requires notice of property located in certain floodplains. Amends TCA, Title 66. by *Moore U A.**

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

***House Bill No. 0138 -- Alcoholic Beverages --** Authorizes cities to prohibit employment of 18 to 20 year olds by beer permit holders. Amends TCA, Title 1, Ch. 3; Title 57, Chs. 3--5. by *Moore U A.

Passed first consideration.

***House Bill No. 0139 -- Firearms and Ammunition --** Reduces amount of time law enforcement official is given to conduct background investigation of person who wants to purchase pistol or sidearm. Amends TCA 39-6-1704. by *Moore U A.

Passed first consideration.

House Bill No. 0140 -- Taxes, Privilege -- Levies privilege tax on amusements in Gatlinburg. by *Huskey.

Passed first consideration.

***House Bill No. 0141 -- Game and Fish Laws --** Provides for training of bear dogs and taking of bear in certain counties. Amends TCA, Title 70. by *Huskey, *Davis R E.

Passed first consideration.

***House Bill No. 0142 -- Annexation --** Allows smaller cities in metropolitan governments to annex within the metropolitan general services area. Amends TCA, Title 7, Ch. 1. by *Garrett.

Passed first consideration.

***House Bill No. 0143 -- Annexation --** Permits certain small municipalities within certain counties having metropolitan government to annex certain territory. Amends TCA, Title 6, Ch. 51; Title 7, Ch. 1. by *Garrett.

Passed first consideration.

***House Bill No. 0144 -- Taxes, Hotel Motel --** Provides for distribution of certain tourist accommodation tax receipts. Amends TCA, Title 7, Ch. 4. by *Garrett.

Passed first consideration.

***House Bill No. 0145 -- Economic and Community Development --** Creates Tennessee World Trade Center. by *West.

Passed first consideration.

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***House Bill No. 0146 -- Solid Waste Disposal -- Enacts "Tennessee Solid Waste Resources Act". by *West.**

Passed first consideration.

***House Bill No. 0147 -- Annexation -- Revises procedure for annexation of instrumentality of municipality under certain circumstances. Amends TCA 6-51-111. by *West.**

Passed first consideration.

***House Bill No. 0148 -- Annexation -- Requires instrumentality annexed to city to promptly apply funds to appropriate outstanding debt. Amends TCA 6-51-111. by *West.**

Passed first consideration.

***House Bill No. 0149 -- Banks and Financial Institutions -- Requires all loan commitments to be in writing. Amends TCA, Title 29, Ch. 2. by *West.**

Passed first consideration.

House Bill No. 0150 -- Highway Signs -- Provides for signs on 1-40 indicating location of Boy Scouts Boxwell Reservation. by *West.

Passed first consideration.

House Bill No. 0151 -- Teachers -- Revises compensation for certain teachers employed by certain state departments. Amends TCA, Title 8, Ch. 23, Pt. 1. by *West.

Passed first consideration.

***House Bill No. 0152 -- Taxes, Real Property -- Classifies certain limited equity housing cooperatives for tax purposes. Amends TCA, Title 67, Ch. 5. by *West.**

Passed first consideration.

***House Bill No. 0153 -- Highways, Roads and Bridges -- Directs establishment of study for certain toll roads. Amends TCA, Title 49, Ch. 9, Pt. 4. by *West.**

Passed first consideration.

***House Bill No. 0154 -- Motor Vehicles -- Makes failure to stop for hit and run a felony. Amends TCA, Title 55, Ch. 10. by *West.**

Passed first consideration.

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***House Bill No. 0155 -- Mental Illness --** Grants mental health professionals immunity from certain civil suits resulting from violent acts of patients. Amends TCA, Title 33, Ch. 10. by *West.

Passed first consideration.

***House Bill No. 0156 -- Psychologists --** Allows doctoral-level psychologists to make emergency commitments of people into psychiatric facilities. Amends TCA 33-6-103. by *West.

Passed first consideration.

***House Bill No. 0157 -- Bad Checks --** Makes payment of rent subject to bad check law. Amends TCA 39-3-301. by *West.

Passed first consideration.

***House Bill No. 0158 -- Bond Issues --** Enacts "Monorail Commuter Law of 1989". by *West.

Passed first consideration.

***House Bill No. 0159 -- Bond Issues --** Authorizes bond issue for monorail in Davidson County. by *West.

Passed first consideration.

***House Bill No. 0160 -- Animals --** Enacts "Vicious Dog Control Act of 1989". Amends TCA, Title 44, Ch. 17. by *Dixon.

Passed first consideration.

***House Bill No. 0161 -- Public Contracts --** Revises certain provisions relative to bonds required for certain public works contracts. Amends TCA 12-4-201. by *Dixon.

Passed first consideration.

***House Bill No. 0162 -- Unemployment Compensation --** Provides additional benefits for persons receiving unemployment benefits. Amends TCA, Title 50, Ch. 7. by *Dixon.

Passed first consideration.

***House Bill No. 0163 -- Taxes, Sales --** Extends use tax to advertising publications distributed in Tennessee. Amends TCA, Title 67, Ch. 6. by *Dixon.

Passed first consideration.

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***House Bill No. 0164 -- Human Rights --** Allows human rights commission to hold hearings on alleged violations of rights by police. Amends TCA, Title 4, Ch. 21. by *Dixon.

Passed first consideration.

***House Bill No. 0165 -- Election Laws --** Reduces time candidate has to withdraw from campaign. Amends TCA, Title 2, Ch. 5. by *Dixon.

Passed first consideration.

***House Bill No. 0166 -- Election Laws --** Allows state employees to be deputy election registrars. Amends TCA, Title 2, Ch. 12. by *Dixon.

Passed first consideration.

***House Bill No. 0167 -- Taxes, Privilege --** Imposes tax on all diplomas obtained at higher education level. Amends TCA, Title 67, Ch. 4. by *Dixon.

Passed first consideration.

***House Bill No. 0168 -- Handicapped Persons --** Extends protection against discrimination to employees as well as handicapped applicants. Amends TCA 8-50-103. by *Dixon.

Passed first consideration.

***House Bill No. 0169 -- Motor Vehicles, Titling and Registration --** Provides for special license plates for any qualifying organization. Amends TCA, Title 55, Ch. 4, Pt. 2. by *Dixon.

Passed first consideration.

***House Bill No. 0170 -- Day Care --** Creates pilot program for day care. Amends TCA, Title 71, Ch. 3. by *Dixon.

Passed first consideration.

***House Bill No. 0171 -- AIDS --** Requires reporting of AIDS and HIV cases. Amends TCA, Title 68, Ch. 32. by *Dixon.

Passed first consideration.

***House Bill No. 0172 -- Hazardous Materials --** Enacts "Infectious Waste Disposal Act". Amends TCA, Title 68, Ch. 46. by *Dixon.

Passed first consideration.

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***House Bill No. 0173 -- Pensions and Retirement Benefits --** Revises minimum allowance for legislative pensions and benefits. Amends TCA 8-36-209. by *Dixon.

Passed first consideration.

***House Bill No. 0174 -- Real Property --** Adds Uniform Conservation Easement Law to Tennessee law on conservation easements. Amends TCA, Title 66, Ch. 9. by *Dixon.

Passed first consideration.

***House Bill No. 0175 -- Drugs --** Imposes privilege tax on unlawful distribution of certain controlled substances. Amends TCA, Title 39, Ch. 6, Pt. 4; Title 67, Ch. 4, Pt. 4. by *Dixon.

Passed first consideration.

***House Bill No. 0176 -- Public Contracts --** Changes type of business eligible for set-aside of portion of public educational procurement funds. Amends TCA 49-3-322, 49-8-114. by *Dixon.

Passed first consideration.

***House Bill No. 0177 -- Handicapped Persons --** Redefines "handicap" relative to discrimination in employment. Amends TCA 8-50-103. by *Dixon.

Passed first consideration.

***House Bill No. 0178 -- Medicare and Medicaid --** Increases the uncompensated value of resources for the determination of eligibility to receive medical assistance. Amends TCA 71-5-106. by *Dixon.

Passed first consideration.

***House Bill No. 0179 -- Aged Persons --** Revises Public Guardianship for the Elderly Law. Amends TCA, Title 34, Ch. 7, Pt. 1. by *Dixon.

Passed first consideration.

***House Bill No. 0180 -- Bad Checks --** Includes checks for rent in bad check law. Amends TCA 39-3-301. by *Odom.

Passed first consideration.

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***House Bill No. 0181 -- Sewage --** Requires commercial boating facilities to provide sewage disposal facilities. Amends TCA, Title 69. by *Odom.

Passed first consideration.

House Bill No. 0182 -- Firearms and Ammunition -- Prohibits the sale or possession of pistols, sidearms and handguns. Amends TCA, Title 39, Ch. 6, Pt. 17. by *King.

Passed first consideration.

***House Bill No. 0183 -- Fire Prevention and Investigation --** Requires installation of smoke detectors in public housing units and residential rental units. Amends TCA, Title 68, Ch. 17. by *King, *Jones R.

Passed first consideration.

***House Bill No. 0184 -- Human Services, Dept. of --** Directs department to study certain personnel policy and practices. Amends TCA, Title 71. by *King, *Jones R.

Passed first consideration.

House Bill No. 0185 -- Racing -- Requires race horses to have human riders; prohibits use of mechanical devices as jockeys. Amends TCA, Title 4, Ch. 36, Pt. 3. by *Wood.

Passed first consideration.

House Bill No. 0186 -- Racing -- Prohibits pari-mutuel wagering on horse racing. Repeals TCA 4-29-214; Title 4, Ch. 36. by *Wood.

Passed first consideration.

House Bill No. 0187 -- Racing -- Requires horse racing to be conducted outdoors. Amends TCA, Title 4, Ch. 36. by *Wood.

Passed first consideration.

***House Bill No. 0188 -- State Employees --** Provides option for treatment of sick leave on retirement. Amends TCA, Title 8, Chs. 34, 50. by *Whitson, *Hawkins, *Yelton.

Passed first consideration.

House Bill No. 0189 -- Unicoi County -- Permits sale and use of pyrotechnics by certain organizations. Amends Chapter 256, Private Acts of 1947. by *Whitson.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

***House Bill No. 0190** -- Real Property -- Revises requirements for managers of time share estates. Amends TCA 66-32-106, 107, 122. by *Huskey, *Duer.

Passed first consideration.

***House Bill No. 0191** -- Real Estate Agents and Brokers -- Revises certain time sharing provisions relative to the Real Estate Broker Act. Amends TCA, Title 62, Ch. 13. by *Huskey, *Duer.

Passed first consideration.

***House Bill No. 0192** -- Boards and Commissions -- Revises certain provisions relative to the administration of certain agencies, boards and commissions. Amends TCA, Title 4, Ch. 3, Pt. 13; Title 56, Ch. 1, Pt. 3; Titles 62, 63, 68. by *Scruggs, *Kisber, *King.

Passed first consideration.

***House Bill No. 0193** -- Boards and Commissions -- Revises certain penalties imposed by certain agencies, boards, and commissions. Amends TCA, Title 4, Ch. 3, Pt. 13; Title 56, Ch. 1, Pt. 3; Titles 62, 63. by *Scruggs, *Kisber, *King.

Passed first consideration.

***House Bill No. 0194** -- Boards and Commissions -- Revises expiration dates of certain certificates and licenses issued by certain boards and commissions. Amends TCA, Title 4, Ch. 3, Pt. 13; Title 56, Ch. 1, Pt. 3; Titles 62, 63. by *Scruggs, *Kisber, *King.

Passed first consideration.

***House Bill No. 0195** -- Boards and Commissions -- Revises certain fees prescribed by certain agencies, boards and commissions. Amends TCA, Title 4, Ch. 3, Pt. 13; Title 56, Ch. 1, Pt. 3; Titles 62, 63. by *Scruggs, *Kisber, *King.

Passed first consideration.

House Bill No. 0196 -- Education, Higher -- Gives certain discounts to tuition for state institutions of higher education to children of certified teachers in public schools. Amends TCA, Title 49, Ch. 7, Pt. 1. by *Davis R E.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

***House Bill No. 0197 -- Financial Disclosure -- Enacts "Registry of Election Finance Act of 1989". Amends TCA, Title 2, Chs. 10, 11; Title 3, Ch. 6; Title 8, Ch. 50, Pt. 5. by *Kisber, *Naifeh, *Byrd, *Scruggs, *Peroulas, *Miller, *DeBerry, *Ridgeway, *Jackson, *Holt, *Stallings, *Kent, *Chiles, *Pinion.**

Passed first consideration.

***House Bill No. 0198 -- Hazardous Materials -- Authorizes forms and reporting dates under Hazardous Chemical Right to Know Law which correspond to federal law requirements. Amends TCA, Title 50, Ch. 3, Pt. 20. by *Kernell.**

Passed first consideration.

***House Bill No. 0199 -- Aged Persons -- Restructures the pilot program to reimburse licensed residential homes for the aged. Amends TCA 12-4-320. by *Dixon, *Jones R.**

Passed first consideration.

House Bill No. 0200 -- Economic and Community Development -- Creates small and minority business advisory council. Amends TCA, Title 4, Ch. 26. by *Dixon, *Jones R.

Passed first consideration.

***House Bill No. 0201 -- Race Relations -- Provides for appointment of racial minorities to the health facilities commission and to the board for licensing health care facilities. Amends TCA, Title 68. by *Dixon, *Jones R.**

Passed first consideration.

***House Bill No. 0202 -- Election Laws -- Permits voter registration on election day if certain requirements are met. Amends TCA, Title 2. by *Dixon, *Jones R.**

Passed first consideration.

House Bill No. 0203 -- Budget Procedures -- Removes certain counties from County Budget Law of 1990. Amends TCA 5-22-116. by *Hobbs, *Bragg.

Passed first consideration.

House Bill No. 0204 -- Smyrna -- Revises city charter. Amends Chapter 284, Private Acts of 1915, as amended. by *Hobbs.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

House Bill No. 0205 -- Sunset Laws -- Extends termination date of interstate mining compact. Amends TCA, Title 4, Ch. 29; Title 59, Chs. 8, 10. by *King, *Garrett, *Davis Ray.

Passed first consideration.

***House Bill No. 0206 -- Private Protective Services --** Requires psychological examinations for armed security guards. Amends TCA, Title 62, Ch. 35, Pt. 1. by *Hobbs, *Bragg, *Wix, *Moore C, *Davis Ray, *Napier, *Jackson, *Pinion.

Passed first consideration.

House Bill No. 0207 -- Sunset Laws -- Extends termination date of bureau of investigation. Amends TCA, Title 4, Chs. 29, 36; Title 8, Chs. 23, 50; Title 10, Ch. 7; Title 17, Ch. 5; Title 27, Ch. 8; Title 37, Chs. 1, 10; Title 38, Chs. 6--8, 10; Title 39, Chs. 3, 5, 6; Title 40, Ch. 33; Title 45, Ch. 2; Title 53, Ch. 11; Title 55, Ch. 10; Title 57, Ch. 1; Title 62, Chs. 27, 35; Title 68, Ch. 17; Title 71, Chs. 3, 5. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0208 -- Sunset Laws -- Extends termination date of compact for education. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 12. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0209 -- Sunset Laws -- Extends termination date of interstate compact on mental health. Amends TCA, Title 4, Ch. 29; Title 33, Chs. 3, 9. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0210 -- Sunset Laws -- Extends termination date of advisory council on teacher education and certification. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 5. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0211 -- Sunset Laws -- Extends termination date of advisory council for education of handicapped. Amends TCA, Title 4, Ch. 29, Pt. 2; Title 49, Ch. 10, Pt. 1. by *King, *Garrett, *Davis Ray.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

House Bill No. 0212 -- Sunset Laws -- Extends termination date of advisory council on vocational technical education. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 11. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0213 -- Sunset Laws -- Extends termination date of joint underwriting association, board of directors. Amends TCA, Title 4, Ch. 29; Title 56, Ch. 33. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0214 -- Sunset Laws -- Extends termination date of Lakeshore mental health institute. Amends TCA, Title 4, Ch. 29; Title 33, Ch. 2. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0215 -- Sunset Laws -- Extends termination date of Arlington development center. Amends TCA, Title 4, Chs. 3, 29; Title 33, Ch. 2. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0216 -- Sunset Laws -- Extends termination date of southern regional education compact, board of control. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 12. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0217 -- Sunset Laws -- Extends termination date of southern regional education compact. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 12. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0218 -- Sunset Laws -- Extends termination date of State board of education. Amends TCA, Title 1, Ch. 3; Title 2, Ch. 17; Title 4, Chs. 3, 5, 6, 29; Titles 5, 6; Title 7, Ch. 2; Title 8; Title 10, Ch. 2; Title 11, Chs. 1, 4, 21; Title 20, Chs. 9, 13; Title 27, Ch. 9; Title 28, Chs. 1, 3; Title 29, Chs. 14, 20, 35; Title 37, Chs. 1, 2; Title 39, Ch. 6; Title 40, Ch. 28; Title 47, Chs. 4, 14; Title 49; Title 50, Ch. 6; Title 62, Ch. 34; Title 63, Ch. 11; Title 67, Chs. 3, 6; Title 68, Ch. 12; Title 70, Ch. 2. by *King, *Garrett, *Davis Ray.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

House Bill No. 0219 -- Sunset Laws -- Extends termination date of state university and community college system, board of regents. Amends TCA, Title 4, Ch. 29; Title 8, Chs. 36, 50; Title 49, Chs. 3, 4, 7, 8; Title 68, Ch. 31. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0220 -- Sunset Laws -- Extends termination date of Watkins Institute commission. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 50. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0221 -- Sunset Laws -- Extends termination date of western mental health institute, board of trustees. Amends TCA, Title 4, Ch. 29; Title 33, Ch. 2. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0222 -- Sunset Laws -- Extends termination date of the Nat T. Winston Development Center, board of trustees. Amends TCA, Title 4, Chs. 3, 29; Title 33, Ch. 2. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0223 -- Sunset Laws -- Terminates advisory council on resource materials for family life education. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 6. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0224 -- Sunset Laws -- Extends termination date of Memphis mental health institute, board of trustees. Amends TCA, Title 4, Chs. 3, 29; Title 33, Ch. 2. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0225 -- Sunset Laws -- Extends termination date of joint underwriting association stabilization reserve fund, board of directors. Amends TCA; Title 4, Ch. 29; Title 56, Ch. 33. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0226 -- Sunset Laws -- Extends termination date of Elk River development agency. Amends TCA, Title 4, Ch. 29; Title 9, Ch. 9; Title 13, Chs. 1, 14; Title 64, Ch. 1. by *King, *Garrett, *Davis Ray.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

House Bill No. 0227 -- Sunset Laws -- Extends termination date of services delivery council. Amends TCA, Title 4, Chs. 3, 29. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0228 -- Sunset Laws -- Extends termination date of Middle Tennessee health institute, board of trustees. Amends TCA, Title 4, Ch. 29; Title 33, Ch. 2. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0229 -- Sunset Laws -- Extends termination date of Moccasin Bend mental health institute, board of trustees. Amends TCA, Title 4, Ch. 29; Title 33, Ch. 2. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0230 -- Sunset Laws -- Extends termination date of Obion-Forked Deer basin authority, board of directors. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 1. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0231 -- Sunset Laws -- Extends termination date of southeast interstate forest fire protection compact. Amends TCA, Title 4, Ch. 29; Title 11, Ch. 4. by *King, *Garrett, *Davis Ray.

Passed first consideration.

House Bill No. 0232 -- Alcoholic Offenses -- Authorizes judge to require DUI offender's car to be equipped with an ignition interlock device. Amends TCA, Title 55, Ch. 10. by *Herron, *Nuber.

Passed first consideration.

***House Bill No. 0233 -- Firearms and Ammunition --** Prohibits hunting with certain ammunition in Weakly County. Amends TCA, Title 70, Ch. 4. by *Herron, *Pinion.

Passed first consideration.

***House Bill No. 0234 -- County Officers --** Permits county legislative body to set salaries of field deputy sheriffs. Amends TCA 8-20-103. by *Hobbs, *Bragg, *Wix, *Davis Ray, *Moore C, *Napier, *Jackson, *Pinion.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

***House Bill No. 0235 -- Taxes -- Enacts "Tax Equity Act of 1989". Amends TCA, Title 67. Repeals TCA, Title 67, Ch. 2. by *Kernell.**

Passed first consideration.

***House Bill No. 0236 -- Financial Disclosure -- Requires filing of certain funds by members of general assembly as campaign expenses. Amends TCA, Title 2, Ch. 10; Title 8, Ch. 50. by *Kernell.**

Passed first consideration.

House Bill No. 0237 -- Pensions and Retirement Benefits -- Revises certain limitations relative to cost of living adjustments for retired members of TCRS. Amends TCA 8-36-701. by *Peroulas, *Severance, *Scruggs, *Armstrong, *Bittle, *Miller, *Davis J K.

Passed first consideration.

House Bill No. 0238 -- Fire Prevention and Investigation -- Transfers investigation of arson from department of commerce and insurance to Tennessee bureau of investigation. Amends TCA, Title 38, Ch. 6; Title 68, Ch. 17. Repeals TCA 68-17-127, 129, 135, 144, 149. by *Phillips.

Passed first consideration.

House Bill No. 0239 -- Election Laws -- Authorizes emergency personnel to vote absentee five days before election. Amends TCA, Title 2, Ch. 6, Pt. 1. by *Phillips.

Passed first consideration.

House Bill No. 0240 -- County Officers -- Repeals fee sheriff is entitled to charge for data processing services. Amends TCA 8-21-901. Repeals TCA 8-21-901. by *Wood.

Passed first consideration.

House Bill No. 0241 -- Election Laws -- Revises time for candidate's withdrawal from an election. Amends TCA 2-5-204. by *Stallings, *Hobbs.

Passed first consideration.

House Bill No. 0242 -- Correction, Dept. of -- Requires termination of persons charged with care of inmates under certain circumstances. Amends TCA, Title 41. by *Stallings, *Ellis, *Hobbs.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

House Bill No. 0243 -- Alcoholic Offenses -- Adds community service hours to DUI laws. Amends TCA 55-10-403. by *Stallings, *Hobbs.

Passed first consideration.

House Bill No. 0244 -- Highway Patrol -- Reclassifies highway patrol dispatchers as commissioned officers. Amends TCA, Title 4, Ch. 7. by *Stallings, *Hobbs.

Passed first consideration.

House Bill No. 0245 -- State Employees -- Authorizes certain seasonal employees to be included in the group insurance plan for state employees. Amends TCA, Title 8, Ch. 27. by *Stallings, Hobbs.

Passed first consideration.

House Bill No. 0246 -- Motor Vehicles, Titling and Registration -- Authorizes senior citizens associations to obtain government license plates. Amends TCA 55-4-223. by *Stallings, *Hobbs.

Passed first consideration.

House Bill No. 0247 -- Aged Persons -- Authorizes senior citizens organizations to purchase oil and fuel for vans from state highway garages. by *Stallings, *Hobbs.

Passed first consideration.

House Bill No. 0248 -- Employees, Employers -- Provides for employment preferences for Tennessee residents. Amends TCA, Title 8, Ch. 50; Title 12, Ch. 4. by *Stallings, *Hobbs.

Passed first consideration.

***House Bill No. 0249 -- Health --** Provides for creation of public school nurse advisory councils within certain LEAs. Amends TCA 68-1-1204. by *Peroulas.

Passed first consideration.

***House Bill No. 0250 -- Municipal Government --** Permits cities to make public improvements and assess the costs thereof against the property benefited by such improvements. Amends TCA, Title 7, Ch. 32. Repeals TCA 7-32-117. by *Bell, *Buck.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

***House Bill No. 0251** -- Pensions and Retirement Benefits -- Authorizes certain judges to receive retirement benefits under certain circumstances. Amends TCA, Title 8, Ch. 34, Pt. 7. by *Rhinehart.

Passed first consideration.

***House Bill No. 0252** -- Public Funds and Financing -- Requires state match of certain local contributions for human resources services programs. Amends TCA, Title 13, Ch. 26. by *Rhinehart.

Passed first consideration.

***House Bill No. 0253** -- Board of Regents -- Deletes requirement that one member of board of regents be under 30 years of age. Amends TCA 49-8-201. by *Davidson.

Passed first consideration.

***House Bill No. 0254** -- Public Records -- Makes capital plans, marketing information, proprietary information and trade secrets submitted to Tennessee venture capital network at Middle Tennessee State University confidential. Amends TCA 10-7-504. by *Bragg, *Hobbs.

Passed first consideration.

***House Bill No. 0255** -- Unemployment Compensation -- Eliminates one week waiting period for eligibility to receive unemployment compensation. Amends TCA 50-7-302. by *Ellis.

Passed first consideration.

***House Bill No. 0256** -- Motor Vehicles, Titling and Registration -- Provides for enforcement actions to deal with odometer fraud. Amends TCA, Title 4, Ch. 3, Pt. 20; Title 47, Ch. 18; Title 55, Chs. 2, 6. by *Ridgeway, *Davis R E, *Moody, *Head, *Jackson, *Hassell, *Naifeh, *Kisber, *Moore C, *Herron, Collier, Holt.

Passed first consideration.

House Bill No. 0257 -- Boards and Commissions -- Phases out medical laboratory advisory committee; creates medical laboratory board"; transfers certain regulatory powers from department to board. Amends TCA, Title 68, Ch. 29. by *Odom.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

***House Bill No. 0258 -- Highway Signs --** Revises certain provisions concerning specific service signs. Amends TCA, Title 54, Ch. 5, Pt. 11. by *Buck, *Crain.

Passed first consideration.

***House Bill No. 0259 -- Courts, Appeal --** Repeals present method of electing judges for the intermediate appellate courts. Amends TCA, Title 17, Ch. 4. Repeals TCA, Title 17, Ch. 4. by *Rhinehart.

Passed first consideration.

***House Bill No. 0260 -- Taxes, Sales --** Exempts certain catalogs from sales and use tax. by *Rhinehart.

Passed first consideration.

House Bill No. 0261 -- Henderson -- Authorizes certain municipal expenditures to promote and increase employment opportunities. Amends Chapter 198, Acts of 1901, as amended. by *Stallings, *Sipes.

Passed first consideration.

House Bill No. 0262 -- Henderson -- Authorizes board of mayor and aldermen to establish and operate cable television service. Amends Chapter 198, Acts of 1901, as amended. by *Stallings, *Sipes.

Passed first consideration.

***House Bill No. 0263 -- Boards and Commissions --** Restructures division of health related boards; abolishes certain boards, commissions and agencies. Amends TCA, Titles 4, 62, 63, 68. by *Ellis, *Hobbs.

Passed first consideration.

***House Bill No. 0264 -- Race Relations --** Creates an institute for the study of minority concerns. Amends TCA, Title 49, Ch. 8. by *Love, *Jones R.

Passed first consideration.

House Bill No. 0265 -- Drug Rehabilitation -- Establishes a comprehensive, culturally relevant, drug and alcohol abuse prevention, pilot program for minority community. Amends TCA, Titles 33, 68. by *Love, *Jones R.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

***House Bill No. 0266 -- Aged Persons --** Establishes a pilot program on the prevention and treatment of elderly abuse, neglect, and criminal victimization. Amends TCA, Title 49, Ch. 8, Pt. 8. by *Love, *Jones R.

Passed first consideration.

***House Bill No. 0267 -- Corporations, Not-for-Profit --** Removes liability from suit for certain members of non-profit corporations under certain circumstances. by *Curlee.

Passed first consideration.

***House Bill No. 0268 -- Highway Signs --** Provides for directional signs for Baptist Memorial Hospital in Memphis. by *Hassell.

Passed first consideration.

***House Bill No. 0269 -- Municipal Government --** Revises population and application requirements for incorporation under city manager-commission charter; revises various provisions of charter. Amends TCA, Title 6, Chs. 18--23. by *Kisber.

Passed first consideration.

***House Bill No. 0270 -- Municipal Government --** Revises population and application requirements for incorporating under mayor aldermanic charter. Amends TCA 6-1-201, 202. by *Kisber.

Passed first consideration.

***House Bill No. 0271 -- Municipal Government --** Authorizes merger of contiguous municipalities by various methods. Amends TCA, Title 6, Ch. 51. by *Kisber.

Passed first consideration.

***House Bill No. 0272 -- Judges and Chancellors --** Creates commission to establish salaries for judicial secretaries. Amends TCA, Title 17, Ch. 1, Pt. 4. by *Davis J K.

Passed first consideration.

***House Bill No. 0273 -- Economic and Community Development --** Includes certain local options as incentives for the development or rehabilitation of depressed areas in enterprise zones. Amends TCA, Title 13, Ch. 28, Pt. 1. by *Davis J K.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

House Bill No. 0274 -- Economic and Community Development -- Authorizes cities and counties to take certain blighted and deteriorated property by eminent domain for certain purposes in certain circumstances. by *Davis J K.

Passed first consideration.

***House Bill No. 0275 -- Highway Signs --** Designates southbound lanes of bridge spanning the Tennessee River on U.S. 129, State Route 73, as Troy A. McGill Memorial Bridge. by *Davis J K.

Passed first consideration.

House Bill No. 0276 -- Pensions and Retirement Benefits -- Revises retirement law. by *Rhinehart.

Passed first consideration.

***House Bill No. 0277 -- Teachers --** Authorizes teachers to receive creditable service in TCRS for certain accumulated sick leave. CAVEAT: TCA 8-34-604 is amended in the body, but not in the caption. by *Rhinehart.

Passed first consideration.

House Bill No. 0278 -- Pensions and Retirement Benefits -- Changes terminology from board of claims to division of claims administration. Amends TCA, Title 8, Chs. 34--37. by *Rhinehart.

Passed first consideration.

***House Bill No. 0279 -- Traffic Safety --** Requires all drivers of motor vehicles to maintain proper lookout. Amends TCA, Title 55, Ch. 8. by *Hubbard.

Passed first consideration.

***House Bill No. 0280 -- Traffic Safety --** Allows cities and counties to establish speed zones on certain roads adjacent to or near school grounds. Amends TCA 55-8-152. by *Hubbard.

Passed first consideration.

***House Bill No. 0281 -- Education, State Board of --** Changes required meeting times. Amends TCA 49-1-301. by *Starnes.

Passed first consideration.

***House Bill No. 0282 -- Licenses --** Enacts "Interior Designers Licensing Act". Amends TCA, Title 62, Ch. 2. by *Herron, *Clark.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

***House Bill No. 0283 -- Election Laws -- Prohibits certain at large elections of municipal or county governments. Amends TCA, Title 2. by *Jones R, *Turner L, *Jones U, *Armstrong.**

Passed first consideration.

House Bill No. 0284 -- Welfare -- Increases amount of cash assistance provided under AFDC program. Amends TCA, Title 71. by *Jones R, *Jones U, *Armstrong, *Turner L.

Passed first consideration.

House Bill No. 0285 -- Welfare -- Provides for DHS participation in the AFDC unemployed parents program. Amends TCA, Title 71, Ch. 3. by *Jones R, *Turner L, *Jones U, *Armstrong.

Passed first consideration.

House Bill No. 0286 -- Public Service Commission -- Revises procedures for suspending or revoking certificates of convenience, interstate permits or contract hauler's permits of motor carriers. Amends TCA 85-15-112. by *Ridgeway, *Moore C, *Head, Whitson.

Passed first consideration.

***House Bill No. 0287 -- Purchasing -- Requires agencies of state government to set aside portion of procurement funds for goods and services for contracting with small and minority owned businesses. Amends TCA, Titles 12, 49. by *Jones R, *Turner L, *Jones U, *Armstrong.**

Passed first consideration.

***House Bill No. 0288 -- Human Rights -- Makes affirmative action remedies for discrimination available in chancery court action. Amends TCA 4-21-311. by *Jones R, *Turner L, *Jones U, *Armstrong.**

Passed first consideration.

***House Bill No. 0289 -- Human Rights -- Makes certain records furnished human rights commission investigation confidential. Amends TCA 4-21-303. by *Jones R, *Turner L, *Jones U, *Armstrong.**

Passed first consideration.

***House Bill No. 0290 -- Human Rights -- Allows executive director of human rights commission to issue subpoenas upon request of complaint investigator. Amends TCA 4-21-309. by *Jones R, *Turner L, *Jones U, *Armstrong.**

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

House Bill No. 0291 -- Boards and Commissions -- Creates commission to accurately document assassination of Dr. Martin Luther King, Jr. Amends TCA, Title 4. by *Jones R, *Turner L.

Passed first consideration.

House Bill No. 0292 -- Housing -- Provides for expansion of housing authority boards under certain circumstances. Amends TCA, Title 13, Ch. 20. by *Winningham.

Passed first consideration.

***House Bill No. 0293** -- Industrial Development -- Removes certain exclusions from definition of project in municipality where central business improvement district has been created. Amends TCA, Title 7, Ch. 53. by *Winningham.

Passed first consideration.

***House Bill No. 0294** -- Industrial Development -- Includes gas in definition of project in municipality where central business improvement district has been created. Amends TCA, Title 7, Ch. 53. by *Winningham.

Passed first consideration.

***House Bill No. 0295** -- Housing -- Revises membership of municipal housing authority's board of directors. Amends TCA, Title 13, Ch. 20. by *Winningham.

Passed first consideration.

House Bill No. 0296 -- Gas, Petroleum Products, Volatile Oils -- Permits personal service of notice of intent to drill to affected property owners. Amends TCA, Title 60, Ch. 1, Pt. 2. by *Winningham.

Passed first consideration.

***House Bill No. 0297** -- Gas, Petroleum Products, Volatile Oils -- Requires transporters and storers of crude petroleum or natural gas to keep records and file reports. Amends TCA, Title 60, Ch. 1, Pt. 1. by *Winningham.

Passed first consideration.

House Bill No. 0298 -- Gas, Petroleum Products, Volatile Oils -- Revises conditions for release of reclamation land. Amends TCA, Title 60, Ch. 1, Pt. 7. by *Winningham.

Passed first consideration.

WEDNESDAY, FEBRUARY 1, 1989 -- THIRD LEGISLATIVE DAY

House Bill No. 0299 -- Gas, Petroleum Products, Volatile Oils -- Prohibits interference with certain activities of operator of oil or gas well. Amends TCA, Title 60, Ch. 1. by *Winningham.

Passed first consideration.

***House Bill No. 0300** -- Traffic Safety -- Permits phosphate trucks a margin of error for purposes of weight restriction enforcement. Amends TCA 55-11-203. by *Napier, *Cross, *Moore C, *Burnett, *Jackson, *DeBerry, *Robinson Robb, *Yelton, *Anderson, *Byrd, *Ridgeway.

Passed first consideration.

***House Bill No. 0301** -- Pardons and Paroles -- Increases board and revises certain parole procedures. Amends TCA, Title 40, Chs. 28, 29, 34, 35; Title 41, Ch. 1. by *Byrd, *Ellis, *King.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

***House Bill No. 0067** -- Telecommunications -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0068 -- Gatlinburg -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

***House Bill No. 0070** -- Highway Signs -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0071 -- Garnishments and Executions -- Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 0072** -- Personal Property -- Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 0073** -- Forest and Forest Products -- Passed second consideration and referred to the Conservation and Environment Committee.

***House Bill No. 0074** -- Taxes, Sales -- Passed second consideration and referred to the Finance, Ways and Means Committee.

House Bill No. 0075 -- Law Enforcement -- Passed second consideration and referred to the Judiciary Committee.

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House Bill No. 0076 -- Insurance, Motor Vehicles -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0077 -- Firearms and Ammunition -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0078 -- Mental Retardation -- Passed second consideration and referred to the General Welfare Committee.

***House Bill No. 0079 -- Wills, Trusts -- Passed second consideration and referred to the Judiciary Committee.**

***House Bill No. 0080 -- Probate Law -- Passed second consideration and referred to the Judiciary Committee.**

House Bill No. 0081 -- Mental Health and Mental Retardation, Dept. of -- Passed second consideration and referred to the General Welfare Committee.

***House Bill No. 0082 -- Firearms and Ammunition -- Passed second consideration and referred to the State and Local Government Committee.**

***House Bill No. 0083 -- Trusts -- Passed second consideration and referred to the Judiciary Committee.**

***House Bill No. 0084 -- Motor Vehicles -- Passed second consideration and referred to the Commerce Committee.**

***House Bill No. 0085 -- Correction, Dept. of -- Passed second consideration and referred to the State and Local Government Committee.**

***House Bill No. 0086 -- Solid Waste Disposal -- Passed second consideration and referred to the State and Local Government Committee.**

***House Bill No. 0087 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.**

***House Bill No. 0089 -- Metropolitan Government -- Passed second consideration and referred to the State and Local Government Committee.**

House Bill No. 0090 -- Taxes, Income -- Passed second consideration and referred to the Finance, Ways and Means Committee.

***House Bill No. 0091 -- Alcoholic Beverages -- Passed second consideration and referred to the Commerce Committee.**

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House Bill No. 0092 -- Pikeville -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

***House Bill No. 0093 -- Taxes, Sales --** Passed second consideration and referred to the Finance, Ways and Means Committee.

***House Bill No. 0095 -- Planning, Public --** Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0096 -- Law Enforcement --** Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0097 -- Police -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0098 -- Dunlap -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

***House Bill No. 0099 -- Pensions and Retirement Benefits --** Passed second consideration and referred to the Finance, Ways and Means Committee.

***House Bill No. 0100 -- Solid Waste Disposal --** Passed second consideration and referred to the Conservation and Environment Committee.

REPORT OF SELECT COMMITTEE ON RULES

MR. SPEAKER: Your Select Committee on Rules begs leave to report that we have met and recommend the following amendments to the Temporary Rules of the House of Representatives of the 96th General Assembly, which were adopted earlier by the House.

Respectfully submitted,

Jimmy Naifeh, Chairman
Joe W. Bell
Dan R. Byrd
Ted Ray Miller
Clarence W. Phillips
Mr. Speaker Murray

Lois M. DeBerry
John C. Chiles, Jr.
Paul C. Scruggs
Ronnie E. Davis
David Y. Copeland, III

1. SPEAKER TO CONVENE HOUSE. At the hour to which the House shall have been adjourned, the Speaker shall proceed to the dais and

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announce that the House is in session in accordance with the adjournment motion previously made. The Speaker shall then call the House to order and, after appropriate opening ceremonies, call for the regular order of business, beginning with a roll call to determine that a quorum is present.

3. OTHER DUTIES OF SPEAKER. The Speaker shall supervise the preparation of the daily Journal and shall have general direction of the Representative Chamber in accordance with the authority granted under the Rules of the House.

4. ORDER IN GALLERY OR LOBBY. In case of any disturbance or disorderly conduct in the gallery or lobby, the Speaker or the Chair of the Committee of the Whole shall have power to order the same to be cleared.

6. SPEAKER TO APPOINT COMMITTEES. The Speaker shall appoint all committees, unless otherwise directed by the House, in which case they shall be elected by a vote of the House; and if, upon the first ballot, there be no election, a second ballot shall be taken, in which a plurality of votes shall elect. The Speaker shall, in appointing committees, give consideration to the abilities, preferences and seniority of the members and the political party representation in the House. No member shall be appointed to serve on more than two (2) standing committees, exclusive of the Committee on Calendar and Rules, the Joint Legislative Services Committee, and the Fiscal Review Committee.

7. SPEAKER TO APPOINT COMMITTEE OFFICERS. The Speaker shall appoint one (1) chair, one (1) vice-chair, and one (1) secretary for each of the standing legislative committees and for the Committee on Calendar and Rules. Any officer of any committee, with the approval of the Speaker, may choose to be a member of only one (1) committee. In appointing committee officers, the Speaker shall consider the abilities, preferences and seniority of members and the political party representation in the House.

8. SPEAKER PRO TEMPORE. A Speaker pro tempore of the House of Representatives shall be elected by the membership of the House during the organizational session of the General Assembly. The Speaker pro tempore shall serve until a successor is chosen or until the expiration of such speaker's term, whichever shall first occur. The Speaker pro tempore shall act during the absence of the Speaker, except that the Speaker shall have the right to name any member to perform the duties of the Chair for a period not to exceed one (1) legislative day. In the absence of the Speaker and the Speaker pro tempore, it shall be the duty of the Clerk to call the House to order and call the roll for the election of a temporary Speaker. In the event of an interim vacancy of the office of Speaker, through death or resignation, or in the event of disability of the Speaker, the Speaker pro tempore shall conduct the necessary business of the House only until such time as an election can be held in the House to fill the vacancy.

9. CHIEF CLERK. There shall be a Chief Clerk of the House of Representatives who shall be elected for a term of two (2) years and who shall serve until a successor is chosen. The Chief Clerk shall keep open the Office of the Clerk during and between sessions of the General Assembly on a permanent basis and shall transact efficiently such business as is assigned or required by law or rules of the House, both during and between sessions. The Chief Clerk shall take an oath to support the Constitution of the United States and of the State of Tennessee and to truly and faithfully discharge the duties of the office to the best of such clerk's knowledge and ability.

18. DUTIES OF MEMBERS TOWARD SPEAKER. No member shall be recognized by the Speaker unless the member addresses the chair from such member's desk. In all cases the member who shall first rise shall be entitled to speak first; but when two (2) or more members shall rise at the same time, the Speaker shall name the member who shall speak first.

When any member is about to speak in debate or deliver any matter whatever to the House, such member shall rise, and respectfully address the chair and await the notice of the Speaker. After recognition by the Speaker, the member shall proceed with making remarks which strictly conform to the question under debate and avoid all personalities.

19. TRANSGRESSION OF RULES BY MEMBER. Any member who, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall, or any other member may, call such transgressing member to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide the case without debate. If there be no appeal, the decision of the Chair shall prevail. If the decision be in favor of the member called to order, such member shall be permitted to proceed, without leave of the House. If otherwise, such member shall not be permitted to proceed. In case any member objects and continues, without leave of the House, and if the case require it, such member shall be liable to the censure of the House.

20. ATTENDANCE OF MEMBERS REQUIRED. No member shall be absent from service in the House without leave first obtained; and in case a less number than the quorum of the House shall convene, the Speaker is hereby authorized to send the Sergeant-at-Arms, or any other person or persons, for any or all absent members. This shall be done at the expense of such absentees, respectively, unless such excuse for nonattendance shall be rendered as the House, when a quorum is convened, shall deem sufficient.

22. PERSONS ADMITTED ON FLOOR OF HOUSE. The Sergeant-at-Arms shall admit no person into the House Chamber thirty (30) minutes prior to and during any session except members of the General Assembly, employees of the House as designated by the Speaker of the House, employees of the Senate as designated by the Speaker of the

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Senate, employees of the Office of Legislative Services, employees of the Office of Legal Services, employees of the Office of Management Information Systems, Fiscal Review Committee staff, as designated by the Speaker of the House, members of the Capitol Hill Press Corps as designated by the chair of the Corps and approved by the Speaker of the House, and the Chaplain and the Physician of the Day. All visitors and spectators shall have access to the gallery so long as they preserve order.

28. WHEN MOTION NOT TO BE ENTERTAINED BY SPEAKER. After the Speaker has submitted a question or after there has been a roll call or count of the House, the Speaker shall not entertain or recognize a member on a point of personal privilege or otherwise until a decision of the House has been declared by the Chair. At any other time, a member may rise to a point of personal privilege but such member shall confine such remarks to questions affecting the rights, reputation and conduct of the member in such member's official capacity, and shall not address remarks to any question germane to substantive matters being considered.

29. DEMAND OF ROLL CALL. Any question or motion (except final passage of a bill) may be put to the House by a voice vote at the discretion of the Speaker; provided, however, that, as required by the Constitution of Tennessee, any five (5) members of the House may require a roll call of the membership of the House and said members desiring a roll call shall indicate their desire by raising their hands. All votes taken upon final passage on third consideration of a general bill and all votes taken on demand by any five (5) members as provided for shall be taken by the electronic roll call system, provided that the Speaker may require the calling of the names of the members in alphabetical order and each member shall then answer "Aye" or "No" when such member's name is called by the Clerk without debate. Whenever the electronic roll call system is used, the Clerk shall preserve the record of the votes of the members by making the printed roll call as authenticated by the roll call system a part of the rough journal. All members casting votes by the electronic roll call machine shall be at their proper desks at the time for voting with the exception of the Speaker and sponsor moving passage of the bill under consideration. In the event the electronic roll call system is inoperative, all questions shall be put to the House by voice vote or by calling the roll as circumstances may require.

30. EXPLANATION OF VOTE. Any member may have written into the Journal an explanation of such member's vote on any particular motion, resolution, or bill by presenting to the Clerk an appropriate explanation in typewritten form.

31. CHANGE OF VOTE. Any member's vote on a roll call vote may be changed if such member requests such change before the result of the roll call is announced by the Speaker. After the result of the roll call is announced by the Speaker, no member may change such vote and the Journal entry shall not be altered. However, any

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member not voting at the time the roll call was taken, or any member voting on the original question but wishing to express a desire to change such member's original stand, may, have entered on the Journal a typewritten statement of support of or opposition to the question upon which the vote was taken.

40. MOTION TO RECONSIDER. When a vote on final passage of a bill has been made and carried in the affirmative or negative, it shall be in order for any member voting with the prevailing side to move for a reconsideration thereof, at any time the same day or the next succeeding day of actual session. If the member moving the reconsideration shall request that motion be entered upon the Journal, it shall be done, and such member shall have exclusive control of the motion during that day, and the next succeeding day of actual session; providing the motion has been duly seconded; and the motion shall be a privileged motion, taking precedence, when called up, over all other business. Thereafter, it may be called up and disposed of by any member of the House; however, no motion to reconsider a reconsideration shall be in order; provided, however, no motion to reconsider shall be placed upon the Journal during the last seven (7) legislative days of any annual session.

43. INFORMATION REQUIRED ON COVERS OF BILLS AND RESOLUTIONS. Every bill or resolution introduced shall be typewritten on not less than a full page of legal paper, in original and four (4) copies and the copies shall have the following statement on the cover: "I certify that the within bill (resolution) is a true copy of the original which was introduced this date.

Date

Signature."

Each bill or resolution and all copies shall be enclosed in manuscript covers and shall bear the signature(s) of the sponsor(s) on said covers and said covers shall also contain a succinct statement of the purpose or nature of said bill or resolution.

No member shall be permitted to be added as a sponsor to a bill or resolution without the written permission of the prime sponsor; provided, however, if a piece of legislation purports to name a public facility (bridge, building, etc.), the member who represents the district in which said facility lies shall be allowed to be added as a prime sponsor.

The Chief Clerk shall delete the name of any member who is not the only prime sponsor from any bill or resolution upon receipt of such request in writing.

When a member introduces a bill or resolution, the Clerk shall immediately give the same a House number. Copies shall be delivered as follows: one (1) copy to a representative of Legal Services; one (1) copy to a representative of Legislative Services; one (1) copy to a representative of the Fiscal Review Committee, and one (1) copy to the press file.

44. FILING OF BILLS FOR INTRODUCTION.

(a) Bills which have not been assigned a system entry code by the Office of Legal Services shall not be accepted for filing or pre-filing by the Office of the Chief Clerk.

(b) All bills for introduction shall be filed with the Chief Clerk no later than 4:00 p.m. on the day preceding the date of introduction.

(c) In the interim between sessions, any member of the House may pre-file a bill or resolution for introduction in the next session and the procedure shall be as follows:

(1) The bill or resolution shall be filed with the Chief Clerk of the House by the member in the number and form prescribed by the Rules of the House.

(2) The Chief Clerk shall number the bill or resolution and note thereon the date of the first day of the next session, on which the bill or resolution will be introduced and, in the case of bills, will pass first consideration.

(3) After written request of the sponsor of a pre-filed bill or resolution, the Speaker of the House may refer the bill or resolution to the appropriate committee to be studied and considered by the committee, or a subcommittee thereof, during the interim between sessions.

50. CONSENT CALENDAR. Any bills or resolutions which are not controversial in nature shall be placed on a Consent Calendar by the officers of the Committee on Calendar and Rules. The Consent Calendar shall be printed and posted in a regular place in the House Chamber at least seventy-two (72) hours in advance of the time for such consideration.

Any member may object to a bill or resolution on the Consent Calendar and if objection is raised, the bill or resolution shall be removed from the Consent Calendar and placed at the foot of the regular calendar for consideration on the day following removal from the Consent Calendar; provided, however, that any bill or resolution objected to and removed from the Consent Calendar on the final day of a session shall be placed at the foot of the regular calendar on that day.

51. SPONSOR OF BILL AND CHAIR OF STANDING COMMITTEE PROPOSING AMENDMENT TO BILL MUST BE PRESENT. No bill may be considered on third and final reading unless the sponsor of said bill and the chair, or the chair's designee, of a standing committee which has recommended any amendment or amendments to the bill shall be present in the House, unless such sponsor or chair shall have previously indicated in writing to the Speaker permission for same to be

brought up in such member's absence. However, if such sponsor, the chair or the chair's designee is not present in the House within one (1) hour from the time the bill is reached on the calendar, or the calendar is completed, this requirement is waived and the House may proceed to consider the bill in the absence of such sponsor, the chair or the chair's designee.

52. SUBSTITUTE SPONSOR OF BILL. Upon the death or disability requiring the absence from the House of any sponsor of a bill, the Speaker may name one (1) of the cosigners of said bill as sponsor, and if only one (1) person shall have signed said bill as sponsor, and said sponsor becomes unable to be present in the House, the Speaker may name any person favorable to said bill as sponsor.

58. BILLS TO BE EXAMINED BY CHIEF ENGROSSING CLERK. All bills passed in the House shall, before they are sent to the Senate, be examined by the Chief Engrossing Clerk, whose duty it shall be to examine all bills, amendments, resolutions or motions, before they go out of the possession of the House, and to make report that they are correctly engrossed, which report shall be entered in the Journal. The Chief Engrossing Clerk shall correct any misspelled words in such documents prior to transmission.

59. CONCURRENCE OF HOUSE IN SENATE AMENDMENTS. When a House bill is returned from the Senate with an amendment or a substitute for the House bill, the "ayes" and "noes" shall be called for on the concurrence in the amendment or the passage of the substituted bill and entered on the Journal of the House. No said amendment or substituted bill shall be considered as concurred in or passed unless a majority of the members to which the House is entitled shall have voted affirmatively therefor and the said vote shall have been entered on the Journal. Any measure coming from the Senate with an amendment or a substitute for the House bill shall lie over one (1) day except on the final two (2) legislative days of a session.

No measure coming from the Senate with an amendment or any other Senate action requiring House concurrence or non-concurrence shall be acted on by the House until the sponsor of the measure has announced that the measure has been returned from the Senate requiring further action by the House, stating what action the Senate has taken, and briefly explaining what effect the Senate action will have on the measure. This announcement shall be made on the legislative day prior to consideration of the measure by the House under the order of unfinished business except during the final four (4) legislative days of the session. The Chief Clerk will see that an impact summary of the Senate action on the measure as prepared by Legislative Services is placed on a special Senate Message Calendar to be printed and placed on the members' desks on the legislative day immediately following the announcement. The impact summaries will appear in numerical order regardless of the nature of the measure.

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63. BILLS - HOW KILLED. The adoption of a motion to reject shall have the effect of killing a bill. When said motion is made on first or second consideration, then the bill or resolution and motion shall lie over one (1) day.

When a bill receives a constitutional majority in the negative on a motion to pass on third and final consideration, or when a resolution receives a constitutional majority in the negative on a motion to adopt or concur on final consideration, the Speaker, after the announcement of the vote by the Clerk, shall say "(document type and number), having received a constitutional majority in the negative on a motion to pass on third and final consideration (or adopt or concur), I hereby declare the floor now open for a motion to reject." If a member makes the motion to reject, that motion and the bill or resolution in question will lie over the remainder of that legislative day and the Speaker will direct the Chief Clerk to place the bill or resolution in question at the heel of the regular calendar set for the next legislative day.

When a bill or resolution is considered on the next legislative day, no other motion shall be in order until the motion to reject has been disposed of and the Speaker has declared the final status of the bill or resolution in question. If the motion to reject passes, the Speaker, after the announcement of the vote by the Clerk, shall say "(document type and number), having received a constitutional majority in the negative on the motion to pass on third and final consideration (or adopt or concur), and having received a constitutional majority in the affirmative on the motion to reject, I hereby declare (document type and number) rejected under the terms set forth in Article II, Section 19, of the Constitution of the State of Tennessee."

If no motion to reject is made, or if a motion to reject is made and fails to receive a constitutional majority, the Speaker shall re-refer the bill or resolution in question to the Committee on Calendar and Rules.

If the motion to reject as provided for in this rule is passed, then (a) pursuant to Article II, Section 19, Tennessee Constitution, no bill containing the same substance shall be passed into a law during this General Assembly, and (b) the motion to reconsider shall be out of order.

65. STANDING COMMITTEES. There shall be the following standing committees, each of which the Speaker and the Speaker Pro Tempore shall be voting members, to wit:

- (1) Agriculture
- (2) Commerce
- (3) Conservation and Environment
- (4) Education

- (5) Finance, Ways and Means
- (6) General Welfare
- (7) Government Operations
- (8) Judiciary
- (9) Labor and Consumer Affairs
- (10) State and Local Government
- (11) Transportation

Provided, however, the Speaker Pro Tempore shall only vote when the Speaker is not present and voting, except on those two (2) standing committees to which the Speaker Pro Tempore has been regularly assigned.

There shall be a committee on Calendar and Rules to be composed of the Speaker, the Speaker Pro Tempore, the Majority Leader or such leader's designee, the Majority Caucus Chair, the Minority Leader or such leader's designee, the Minority Caucus Chair, a member of the majority and minority parties appointed by and to serve at the pleasure of the Speaker, one (1) chair, one (1) vice chair, and one (1) secretary appointed by the Speaker under House Rule 7; and the chair, vice chair, and secretary of each standing committee listed above. It shall set the calendar and establish hours and places of meeting of the various standing committees. In establishing the hours and places of meeting of the various standing committees, the Committee on Calendar and Rules shall, insofar as possible, establish regular meeting times and days which shall avoid conflict among the various standing committees. No standing committee shall have more than thirty (30) appointed members. No member shall serve on more than two (2) standing committees, exclusive of the Committee on Calendar and Rules, the Joint Legislative Services Committee, and the Fiscal Review Committee, except the Speaker and the Speaker Pro Tempore who shall be voting members of all standing committees.

67. MEETING OF COMMITTEES - WHEN. No committee of this House shall remain in session during the sessions of the House, unless by permission of a majority of members present. All committee meetings, except meetings held when the House is in recess or adjourned, shall be announced in open session by the Chair, and the time and place of meeting shall be designated at the same time and shall conform with the schedule established by the Committee on Calendar and Rules under House Rule 65. Committee meetings held on days when the House is in recess or adjourned shall be announced in open session or by written notice, furnished to each member of the House not less than seventy-two (72) hours prior to the meeting time. Committee meetings may be called by the Chair of the Standing Committee, upon approval by the Speaker of the House when the House is in recess or adjourned and shall be called by the Committee Chair when petitioned in writing, signed by a majority of the members of the Committee.

68. COMMITTEE OF WHOLE. In forming a Committee of the Whole, the Speaker shall leave the chair, and the Speaker shall appoint a Chair of the Committee of the Whole to preside.

71. AMENDMENTS IN STANDING COMMITTEES AND BILLS INITIATED BY STANDING COMMITTEES. The standing committees may initiate legislation as a committee in addition to acting upon legislation referred to such standing committees. Such legislation initiated by the committee shall be introduced by the chair or the chair's designee and such other members of the committee as may wish to join therein.

When a standing committee recommends a bill for passage only with the adoption of an amendment or amendments approved by a majority vote of the standing committee, the committee chair shall cause such committee amendment or amendments to be prepared in proper typewritten form and filed with the Chief Clerk of the House. Bills reported out of standing committees with committee amendments cannot be considered by the Committee on Calendar and Rules unless the committee amendment is attached thereto. No committee amendments shall be accepted by the Chief Clerk for filing unless said amendment is labeled with a system entry code assigned by the Office of Legal Services. The Chair of said standing committee shall cause said committee amendment to be prepared and filed with the Chief Clerk within twenty-four (24) hours from the time the bill was reported out. The preceding two (2) sentences shall not apply to the General Appropriations Bill.

No later than twenty-four (24) hours prior to the time the bill recommended for amendment is scheduled for consideration on the floor of the House, the Chief Clerk shall cause the recommended amendment or amendments to be reproduced and a copy to be placed upon the desk of each member of the House. After the bill has been explained and its passage moved by the sponsor, the chair of the standing committee recommending the amendment, or chair's designee, shall then be recognized for the explanation of and debate on such amendment or amendments. It shall be the responsibility of the Chief Clerk to ensure that the foregoing procedures are observed in the consideration of amendments recommended by standing committees. It shall also be the responsibility of the Chief Clerk to denote clearly that such amendment or amendments were recommended in a standing committee and to write on the face of the amendment the committee which made the recommendation and the date on which the recommendation was made.

81. UNIFORM RULES OF COMMITTEES.

(1) The Chair, after advising with the vice chair and secretary, shall set the calendars for hearings before the standing committee, taking into consideration the necessity and importance of the legislation before the committee. Those bills and resolutions requested by the sponsors to go on the calendars shall first be placed on the calendars, provided that the chair, after advising with the vice chair and secretary, shall set the calendar for hearings on a reasonable number of bills or resolutions at each

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committee meeting. The requests by sponsors for their bills to be heard in the standing committees shall be filed with the standing committee as soon as practicable, but not later than 3:00 p.m. (CST) on the Wednesday preceding the next regularly scheduled meeting of the standing committee. The chair, after advising with the vice chair and secretary, shall have the authority to set on the calendars additional bills or resolutions not requested by the sponsors if, in the opinion of such officers, a reasonable number of measures has not been set for hearing. The standing committee shall publish the committee calendar (bills to be heard) for its next regularly scheduled meeting as early as practicable but not later than 9:00 a.m. (CST) on the Thursday prior to the regularly scheduled meeting, and the sponsor of each bill or resolution scheduled for hearing shall be notified.

These notice provision shall not apply to a bill or resolution transmitted by a standing committee to the Finance, Ways and Means Committee or the Committee on Calendar and Rules for recommendation.

(2) Prior to any scheduled standing committee meeting, the sponsor of any bill or resolution scheduled for hearing before said standing committee may request in writing that the chair of the standing committee set another hearing date, and the bill or resolution shall be rescheduled for hearing.

No bill or resolution can be considered in a standing committee without a sponsor as reflected in the House Journal.

Should the sponsor of a bill or resolution fail to appear before the standing committee when the bill or resolution has been scheduled two (2) times for a hearing, then the bill or resolution shall be returned to the desk of the Clerk of the House. After a bill or resolution has been sent back to the Clerk's desk, the sponsor of the legislation may appeal to the Speaker to re-refer the proposed legislation; and the Speaker shall have the discretion as to what action shall be taken.

(3) All bills or resolutions not considered controversial in nature may be placed on the committee consent calendar by the chair, after advising with the vice chair and secretary, provided the sponsor does not object. Any member of the standing committee may object to bill or resolution placed on the Committee Consent Calendar, and if objection is raised, the bill or resolution shall be removed from the Committee Consent Calendar and thereafter shall be acted upon by the standing committee.

The Committee Consent Calendar shall be printed and posted in regular places at least seventy-two (72) hours in advance of the time set for consideration of such calendar so that each member of the House may know the status of the legislation pending before the standing committee.

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(4) Standing committees of the House shall meet at the times and places specified in the official committee schedule adopted pursuant to House Rule 65.

(5) A standing committee may hold a special committee meeting with approval of the Speaker at a time and place other than that specified in the official schedule of committee meetings. All special meetings, except meetings held when the House is in recess or adjourned, shall be announced in open session by the chair of the committee. Special meetings held on days when the House is in recess or adjourned shall be announced in advance in open session or by written notice furnished to each member of the House not less than seventy-two (72) hours prior to the meeting time.

(6) If a regular scheduled meeting of a standing committee is canceled, the chair shall announce such cancellation in open session of the House prior to the time fixed for the meeting if possible. If it is not possible for the chair to announce such cancellation in open session, all members of the House shall be given written notice or shall direct the committee staff to make every effort to notify each member of the committee and any other members of the House likely to have business before the committee of such cancellation.

(7) A quorum shall consist of a majority of the members of a given standing committee.

(8) Committee meetings shall be open to the public at all times unless the business of the committee concerns itself with matters of national or state security or the investigation of a proposed impeachment, which, in each separate instance, shall be determined by a three-fourths (3/4) majority of the committee members present and voting.

(9) When a standing committee recommends a bill for passage only with the adoption of an amendment or amendments approved by a majority vote of the standing committee, the committee chair shall cause such committee amendment or amendments to be prepared in proper typewritten form and filed with the Chief Clerk of the House as soon as is practicable. The amendment or amendments should be properly designated as having been recommended in committee and should be signed by the committee chair or the chair's designee before being presented to the Chief Clerk who shall then observe the rules of the House in causing such amendment or amendments to be printed and distributed to all members of the House. No committee amendments shall be accepted by the Chief Clerk for filing unless said amendment is labeled with a system entry code assigned by the Office of Legal Services. The Calendar and Rules Committee shall not consider any bill recommended by a standing committee until any amendment or amendments adopted by the standing committee have been attached to the bill. The chair shall be responsible for having such amendments delivered within twenty-four (24) hours in typewritten form to the Chief Clerk, who shall attach such amendments to the bill.

(10) No bill or resolution shall be reported from a standing committee unless it shall have received a recommendation for passage as written or for passage with a recommended amendment by a majority of those members of the committee present and voting thereon, a quorum being present. All votes constituting final action on any bill or resolution shall be by roll call vote, and a roll call vote shall be taken at the request of the sponsor of the bill or resolution under consideration or at the request of any three (3) members of the committee. Every bill or resolution reported out of the committee shall contain on the cover a notation in ink, signed by the chair, or other presiding officer, recommending the measure for passage as written or recommending it for passage with an amendment or amendments recommended by the committee. If a motion to recommend a bill or resolution has been voted on by a standing committee two (2) times and has failed to pass, then the same shall not be considered by the committee again during that annual session. This rule shall also apply to the Committee on Calendar and Rules.

(11) A written report of the action taken in reporting bills or resolutions out of committee shall be prepared under the direction of the committee chair and submitted promptly together with the bills and resolutions and committee amendments, if any, to the Chief Clerk of the House.

(12) The chair of a standing committee shall be responsible for the safe delivery of bills from the Chief Clerk's bill safe to any meeting of the committee and for their return following the meeting but may delegate such responsibility to a committee officer or member or to the proper legislative staff personnel.

(13) A standing committee chair may create such continuing or ad hoc subcommittees as the chair considers necessary and appropriate to deal with designated subjects within the scope of the subject jurisdiction of the committee. The committee chair shall appoint members to any subcommittee so authorized and shall name the chair thereof.

* A subcommittee of a standing committee shall have authority to consider only such bills, resolutions, or subjects as may be assigned to it by the standing committee which created it. Such a subcommittee shall report only to the standing committee chair unless directed otherwise by the House. No subcommittee may meet while the standing committee of which it is a part is in session without the consent of the standing committee.

(14) A motion to reconsider any committee action and to have the motion entered in the Journal (or records of the committee) shall be determined by a two-thirds (2/3) majority of the committee members, and shall not operate to give the mover possession or control of any measure for any ensuing period of time. It shall be

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treated as a simple motion to reconsider, and its effect shall be the same.

(15) No proxy votes shall be permitted in a standing committee for any purpose.

(16) The vote of the chair of a standing committee shall be recorded in the manner and time as any other member of the committee.

(17) If any appointed member of a standing committee is absent from three (3) consecutive regularly scheduled meetings of the committee without being excused by the chair, the chair shall report such absences to the Speaker of the House.

(18) In the absence of a quorum, the chair or other presiding officer shall have authority to direct the Sergeant-at-Arms to secure the presence of a sufficient number of members to constitute a quorum.

(19) In the absence of any express designation or appointment of any officers of a joint committee or joint subcommittee, the members thereof shall elect a chair and such other officers as are considered necessary by the committee.

(20) All committee minutes shall reflect attendance of members. Members shall be paid in accordance with the provisions of the law governing payment of per diem allowance to members of the General Assembly. The chair of each standing committee is charged with the duty and responsibility of providing and certifying to the Speaker the roll call vote of such committee and a listing of those sponsors appearing before the committee seeking action on their bills or resolutions.

(21) Except as stated in the foregoing rules, the Rules of Order of the House of Representatives shall apply wherever appropriate. Other special rules shall not be adopted by committees.

Rep. Naifeh moved that the Report of the Select Committee on Rules be adopted and made the action of the House, and that the Temporary Rules of the House of the 96th General Assembly, as amended, be made the Permanent Rules of the House of the 96th General Assembly, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman,

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Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

ENGROSSED BILLS

February 1, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 8, 16 and 17; and House Joint Resolution(s) No(s). 2, 3, 8, 9, 12, 15, 19 and 20; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

February 1, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 11 and 13; both signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

February 1, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 31; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0031 -- Memorials, Condolence -- Honors the memory of Senator Edward C. Blank, II.

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**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
February 1, 1989**

In accordance with Rule No. 48, the following local bills, having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 92, 98 and 68.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
February 1, 1989**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, February 2, 1989: House Joint Resolution(s) No(s). 26, 29, 33, 34 and 37; House Bill(s) No(s). 92 and 98; Senate Joint Resolution(s) No(s). 27 and 57; and House Bill(s) No(s). 68.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Haldeman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

RECESS MOTION

Representative Naifeh moved that, pursuant to House Joint Resolution No. 4, the House recess to meet with the Senate in Joint Convention for the purpose of hearing the Budget Address of the Governor; and further moved that, at the conclusion of the Joint Convention, the House adjourn until 9:00 a.m., Thursday, February 2, 1989.